



PATENT
Attorney Docket 056297-5012-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Thomas GINGERAS *et al.***)

Application No. **09/285,306**)

Filed: **April 2, 1999**)

For: **MYCOBACTERIAL RpoB SEQUENCES**)

Group Art Unit: **1637** ✓

Examiner: **J. Siew**

Mail Stop RCE

U.S. Patent and Trademark Office

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Crystal Plaza Two, Lobby, Room 1B03

Arlington, VA 22202

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a request for continued examination (RCE) under 37 C.F.R. § 1.114 of U.S. Application 09/285,306 filed April 2, 1999 entitled Mycobacterial RpoB Sequences.

1. Please enter the attached Amendment and Reply Under 37 C.F.R. § 1.114.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants petition for a two-month extension of time extending the period for response from March 25, 2003 to August 25, 2003, the fee which is **\$410.00** as set out in 37 C.F.R. § 1.17(a). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	16	minus	20	0	\$18 each=	0.00
Independent Claims	6	minus	6	0	\$84 each=	0.00
First presentation of Multiple dependent claim					\$280.00	0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$0.00

08/27/2003 MBERNE 00000104 500310 09285306

01 FC:1801 750.00 DA
02 FC:1252 410.00 DA

4. Fee Payment: The Commissioner is hereby authorized to charge **\$1,160.00** to Deposit Account No. 50-0310 for payment of the request for continued examination filing fee (\$750.00), and the two-month extension of time fee (\$410.00).
5. Please address all correspondence to:

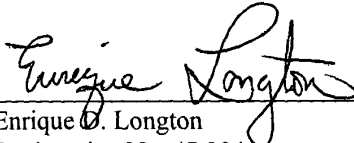
Customer Number: 000033522
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

6. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Date: **August 25, 2003**
CUSTOMER NO. 000033522
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP

By:


Enrique C. Longton
Registration No. 47,304

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Thomas GINGERAS <i>et al.</i>)	
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Application No. 09/285,306)	Group Art Unit: 1637
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MAIL STOP RCE

Commissioner for Patents
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Arlington, VA 22202

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

This amendment is filed in response to the Office Action mailed March 25, 2003 and the Advisory Action mailed July 3, 2003, the period for response to which extends through August 25, 2003 with a petition for a two-month extension of time. Please amend the above-identified application as follows: